



11-19-04 IFW  
Appl. No. 10/698/231  
Amdt. Dated: 11/16/2004  
Reply to Office Action of 10/25/2004

Response to Office Action Notice

Application No.: 10/698,231

Confirmation No. 2309

Applicant: Rodolfo Fernandez Jr.

Filed: November 1, 2003

Art Unit: 3714

Examiner: Bena Miller

Docket No.: N/A

Customer No.: N/A

Commissioner For Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**AMENDMENT TO THE RESPONSE FILED ON JULY 24, 2004**

Sir:

The undersigned, previously submitted an **Amendment** to the above identified application, in the **Response filed on July 24, 2004**, to a previous **Office Action Notice** mailed on **May 17, 2004**.

However, as detailed by the examiner **Ms. Bena Miller** in the **attached second Office Action** mailed on **October 25, 2004**, in said previous Response:

- the applicant **did not sign** the Response and for that reason it has not been entered;
- the applicant **failed to include a Statement that "no New Matter has been added to the Specification"**, which is a requirement to accept the **"Substitute Specification"** submitted as part of the Response filed on July 24, 2004;
- the **numbering in the clean List of Claims** submitted within said previous Response is **inconsistent with the numbering in the "marked copy"** also submitted within the same Response.

In response to this second Office Action Notice mailed on October 25, 2004, hereby the undersigned applicant respectfully requests the amendment to the previous Response filed on July 24, 2004, as follows:

- Please, replace **Page 22 of 23** of the **Response filed on July 24, 2004**, with the new **Page 22 of 23**, duly signed, enclosed within the attached **Appendix**.
- Please, enter as attachment to the **Response filed on July 24, 2004**, the signed statement declaring that in the **Substitute Specification** "no new matter has been added", conformed to **37 CFR 1.125(b) and (c)**, in order to accept the replacement of the **original Specification** with the "**Substitute Specification**" submitted as part of the **Response filed on July 24, 2004**.
- Please, replace the clean **List of Claims** previously submitted as part of the **Response filed on July 24, 2004**, with the new clean **List of Claims**, enclosed within the attached **Appendix**, wherein the numbering of the claims has been amended to be consistent with the "marked copy" also previously submitted as part of the **Response to the Office Action Notice mailed on May 17, 2004, and filed on July 24, 2004**.

Following page 2 of this paper, an **Appendix** is attached, containing:

- the new signed **Page 22 of 23** to replace the **Page 22 of 23** of the previous **Response** filed on **July 24, 2004**.
- a signed **Statement** declaring that "no new matter has been added to the **Specification**" and
- a new amended clean **List of Claims** to replace the **List of Claims** also previously submitted as part of the **Response filed on July 24, 2004**.

The author respectfully requests that the present **Response to the Office Action Notice** mailed on **October 25, 2004**, be accepted to **amend the Response filed on July 24, 2004** previously submitted to comply with the Examiner's remarks and indications in the **Office Action Notice** mailed on **May 17, 2004**.

Respectfully submitted,

Rodolfo Fernandez Jr.



NOTE: For any further clarifications, please, contact the author at your best convenience

Tel/Fax: 704-730-8971; Mobile: 704-692-1081; E-mail: rfern2@carolina.rr.com